

RESOLUTION NUMBER R- 312797

DATE OF FINAL PASSAGE DEC 19 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT BETWEEN JONATHAN AND KATHY HEAD AND THE CITY OF SAN DIEGO.

WHEREAS, on April 25, 2019, Jonathan and Kathy Head filed a complaint against the City of San Diego (City) for property damage arising from an incident that occurred on October 4, 2018. Plaintiffs brought suit in the Superior Court for the County of San Diego. The suit is entitled *Jonathan and Kathy Head v. City of San Diego, et al.*, Superior Court Case No. 37-2019-00021593-CU-EI-CTL [Litigation]; and

WHEREAS, in Closed Session on October 29, 2019, the City Council, by the following votes: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, 8, and 9; Nays, None, and absent, Districts None/All Present, approved settlement of the Litigation for an amount consistent with the amounts set forth below and pursuant to such other terms more fully set forth in the Settlement Agreement;

NOW, THEREFORE,

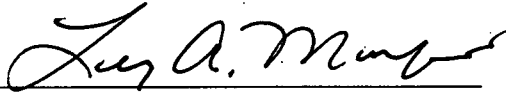
BE IT RESOLVED, by the City Council of the City of San Diego, that the Council:

1. A resolution authorizing the Mayor or his designee to pay the sum of \$150,000.00 from Water Fund No. 700011, in settlement of each and every claim for damages, interest, costs, and fees of any type including attorney fees, against City of San Diego, its agents and employees, arising from the property damage claim filed by Jonathan and Kathy Head.

2. Authorizes the Chief Financial Officer to appropriate \$150,000.00 from Water Fund No. 700011, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

3. Authorizes the Comptroller to issue a check in the amount of \$150,000.00, made payable to Law Office of Evan W. Walker.

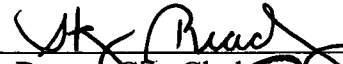

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Lucy A. Manfre
Deputy City Attorney

LAM: jj
November 21, 2019
Or.Dept: City Attorney
CC No. 3000012776
Doc. No.: 2231567

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 17 2019.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

KEVIN L. FAULCONER, Mayor

Approved: 12/19/19
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on DEC 17 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 19 2019

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By *Hy (Handwritten)*, Deputy

Office of the City Clerk, San Diego, California

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